



CITY COMMISSION REGULAR MEETING

Meeting Streamed By YouTube - LIMITED CAPACITY
Tuesday, May 10, 2022

AGENDA

Keith W. Babb, Jr. **Mayor** | Clara Murvin **Vice-Mayor**

Rodney Lucas **Interim City Manager** | Tijauna Warner **City Clerk** | Burnadette Norris-Weeks **City Attorney**

Commissioners: Derrick Boldin | Juan Gonzalez | Sara Perez

- A. INVOCATION AND PLEDGE OF ALLEGIANCE**
- B. ROLL CALL**
- C. ADDITIONS, DELETIONS, AND APPROVAL OF AGENDA ITEMS:**
 - 1. **Proclamation Commemorating Pahokee's 100th Anniversary** - Commissioner Melissa McKinlay
 - 2. **Proclamation Commemorating Pahokee's 100th Anniversary** - Senator Gayle Harrell
- D. CITIZEN COMMENTS/PUBLIC SERVICE ANNOUNCEMENTS – All Items on Agenda (3 Minutes)**
- E. APPROVAL OF MINUTES**
 - [1.](#) **March 18, 2022 Special City Commission Meeting**
 - [2.](#) **April 12, 2022 City Commission Meeting**
 - [3.](#) **April 18, 2022 Special City Commission Meeting**
- F. CONSENT AGENDA**
- G. REGULAR AGENDA**
 - 1. **ORDINANCE(S) & PUBLIC HEARING:**
 - [A.](#) **ORDINANCE 2022 - 02 (first reading) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, REPEALING AND REPLACING ARTICLE II, SECTION 2-26 ENTITLED “CITY COMMISSION MEETINGS GENERALLY” AND 2-29 ENTITLED “ORDER OF BUSINESS”; RENUMBERING AND REORDERING AS NECESSARY; PROVIDING FOR AN EFFECTIVE DATE.**
 - 2. **RESOLUTION(S):**
 - [A.](#) **RESOLUTION 2022 - 16 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA APPROVING BUDGET AMENDMENT NO. 2 IN THE AMOUNT OF \$20,000.00 FOR FISCAL YEAR 2021–2022, SET FORTH IN COMPOSITE EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.**
 - [B.](#) **RESOLUTION 2022 - 17 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING THE CHANGE ORDER NO. 01 ON THE ATTACHED EXHIBIT “A”.**
 - [C.](#) **RESOLUTION 2022 - 18 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING SIGNATORIES FOR VARIOUS BANK ACCOUNTS OF THE CITY OF PAHOKEE AT PNC BANK, N.A.; FURTHER AUTHORIZING CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS WITH PNC BANK, N.A.; PROVIDING AN EFFECTIVE DATE.**
 - 3. **OTHER AGENDA ITEMS PRESENTATION:**

A. G.R.I.T.S. - Keren-Esther Hoskins, Chief Executive Officer Rise and Shine Christian Academy Inc.

B. CareerSource activities in the Glades - Mr. Charles Duval

H. REPORT OF THE MAYOR

I. REPORT OF THE CITY MANAGER

J. REPORT OF THE CITY ATTORNEY

K. OLD BUSINESS:

L. NEW BUSINESS:

M. COMMISSIONER COMMENTS

N. ADJOURN (BY MOTION AND APPROVAL OF MAJORITY PRESENT)

Any citizen of the audience wishing to appear before the City Commission to speak with reference to any agenda or non-agenda item must complete the "Request for Appearance and Comment" form and present completed form to the City Clerk prior to commencement of the meeting.

Should any person seek to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Reference: Florida Statutes 286.0105)

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CITY COMMISSION SPECIAL MEETING

Meeting Streamed By YouTube - LIMITED CAPACITY
Friday, March 18, 2022

MINUTES

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on March 18, 2022.

The meeting was called to order by Mayor Babb at 3:00 p.m.

A. INVOCATION AND PLEDGE OF ALLEGIANCE

B. ROLL CALL

PRESENT

Mayor Keith Babb
Vice-Mayor Regina Bohlen
Commissioner Juan Gonzalez
Commissioner Clara Murvin
Commissioner Sara Perez

City Manager Greg Thompson
Acting City Attorney Gemma Torcivia
City Clerk Tijauna Warner

C. TOPIC

1. Prosecution of Keith Babb & Jongelene Adams for illegal distribution of city funds

Mayor Babb explained who called this special meeting.

Vice-Mayor Bohlen motioned to prosecute Mayor Keith W. Babb, Jr. and Jongelene Adams for illegal distribution of city funds, Seconded by Commissioner Perez. A discussion ensued regarding the previous City Manager's payout.

Motion made by Vice-Mayor Bohlen to prosecute Mayor Keith W. Babb, Jr. and Jongelene Adams for illegal distribution of city funds, Seconded by Commissioner Perez. Motion failed (2-3)

Voting Yea: Vice-Mayor Bohlen, Commissioner Perez

Voting Nay: Commissioner Gonzalez, Commissioner Murvin, Mayor Babb

2. Termination of Greg Thompson

Vice-Mayor Bohlen motioned to terminate Greg Thompson as of March 23rd pursuant to paragraph 9A of his contract, Seconded by Commissioner Perez.

Commissioner Murvin requested Vice-Mayor Bohlen to please read that portion of Mr. Thompson's contract.

Vice-Mayor Bohlen read Paragraph 9A into the record. Without Cause. Employer may terminate this Agreement Without Cause, at any time, for any or no reason, by paying the Manager 20 weeks'

severance. Severance shall be paid by the Employer continuing Manager's normal pay, and for the Severance Period. During the Severance Period, Employer shall continue medical coverage of Manager, however, Manager is not entitled to any other benefits. Manager will be paid for all time worked through and including the date of termination, and unused accrued vacation time.

Commissioner Murvin read Section 3.03 Removal into the record. To remove a Charter officer, the city commission shall adopt a preliminary resolution stating reasons for the intended removal and shall offer the Charter officer an opportunity for a public hearing before the commission on the matters raised by the resolution. This preliminary resolution may also suspend the Charter officer from duty immediately with pay. The Charter officer must accept the offer of a public hearing or file a written response within ten (10) days of the adoption of the preliminary resolution or the resolution becomes final at the expiration of this ten-day period and the Charter officer is terminated on that date. If the public hearing is requested it shall be held not earlier than twenty (20) days or later than thirty (30) days after the adoption of the preliminary resolution. After such public hearing, or after consideration of any written response, the commission shall adopt a final resolution of removal or let the preliminary resolution lapse.

Commissioner Murvin inquired where's the resolution. Ms. Torcivia advised she had not drafted a resolution and informed that she can go and draft a resolution and bring it back to the commission. A discussion ensued regarding drafting a resolution.

Motion amended by Vice-Mayor Bohlen for the Acting City Attorney to draw up the resolution and email it to the City Clerk to say without cause with a thirty (30) minute recess, Seconded by Commissioner Perez. Motion passed (3-2)
 Voting Yea: Vice-Mayor Bohlen, Commissioner Perez, Commissioner Gonzalez
 Voting Nay: Commissioner Murvin, Mayor Babb

Recess 3:59 pm

The meeting resumed 4:36 pm

Ms. Torcivia read Resolution 2022 - 05 into the record. Discussion ensued regarding Resolution 2022 - 05.

Mayor Babb opens the floor to allow citizens' comments.

Richard Brown (resident) expressed concerns with the commission not following the process and the cup that the City Manager had that was racist.

Otis Harvey, Jr. (non-resident) expressed concerns about why the commission is firing Mr. Thompson and ask for answers.

Carl Morrison (resident) expressed concerns about why the commission is terminating Mr. Thompson and advised we see through it and that your time is limited.

Sanquetta Cowan (resident) asked Commissioner Gonzalez, Vice-Mayor Bohlen, and Commissioner Perez their reasons for firing Mr. Thompson when you were saying he was doing a great job.

Jason Crawford (resident) questioned if Mr. Thompson have an application on file. He advised if Mr. Thompson wanted to waive the process, he should just quit. Since, the three (3) commissioners that brought him in, now want him out.

Christopher Troutman (resident) expressed concerns about the commission not following the process. Motion made by Commissioner Perez to approve Resolution 2022 - 05, Seconded by Vice-Mayor Bohlen. Discussion ensued regarding severance pay and the process. Motion passed (3-2).
 Voting Yea: Commissioner Perez, Vice-Mayor Bohlen, Commissioner Gonzalez, Commissioner Murvin

D. DISCUSSION, COMMENTS, CONCERNS

Commissioner Gonzalez apologize for having everyone stick around so long, he advised we could've done this earlier.

Vice- Mayor Bohlen no comment.

Commissioner Perez no comment.

Commissioner Murvin no comment.

Mayor Babb no comment.

E. ADJOURN

Motion made by Commissioner Perez to adjourn the meeting, Second by Vice-Mayor Bohlen. Motion passed unanimously.

Voting Yea: Commissioner Perez, Vice-Mayor Bohlen, Commissioner Gonzalez, Commissioner Murvin, Mayor Babb

There being no further business to discuss, Mayor Babb adjourns the meeting at 5:20 pm.

Keith W. Babb, Jr., Mayor

ATTEST: Tijauna Warner, City Clerk



CITY COMMISSION REGULAR MEETING

Meeting Streamed By YouTube - LIMITED CAPACITY
Tuesday, April 12, 2022

MINUTES

Keith W. Babb, Jr. **Mayor** | Clara Murvin **Vice-Mayor**
Jongelene Adams **Interim City Manager** | Tijauna Warner **City Clerk** |
Burnadette Norris-Weeks **Interim City Attorney**
Commissioners: Derrick Boldin | Juan Gonzalez | Sara Perez

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on April 12, 2022.

The meeting was called to order by Mayor Babb at 6:01 p.m.

A . INVOCATION AND PLEDGE OF ALLEGIANCE

B. ROLL CALL

PRESENT

Commissioner Derrick Boldin
Commissioner Juan Gonzalez
Commissioner Clara Murvin
Commissioner Sara Perez
Mayor Keith Babb

Jongelene Adams, Interim City Manager
Burnadette Norris-Weeks, Interim City Attorney
Tijauna Warner, City Clerk

1. **Palm Beach County Commission on Ethics** - Christie Kelley (Executive Director) & Gina Levesque (Intake and Compliance Manager) rescheduled to April 26, 2022 City Commission Meeting.

C. ADDITIONS, DELETIONS, AND APPROVAL OF AGENDA ITEMS:

Motion made by Commissioner Murvin to approve the agenda with the addition of Mr. James Fishback Incubate Debate, Seconded by Commissioner Boldin. Motion passed unanimously.
Voting Yea: Commissioner Gonzalez, Commissioner Murvin, Commissioner Perez, Mayor Babb, Commissioner Boldin

Motion made by Commissioner Murvin to amend the agenda with the addition of the City of Belle Glade Proclamation Celebrating the City of Pahokee's 100th Anniversary to New Business, Seconded by Commissioner Gonzalez. Motion passed unanimously.
Voting Yea: Commissioner Murvin, Commissioner Gonzalez, Commissioner Boldin, Commissioner Perez, Mayor Babb

D. CITIZEN COMMENTS/PUBLIC SERVICE ANNOUNCEMENTS – All Items on Agenda (3 Minutes)

Michael Meister (resident) expressed concerns that palm trees along Bacom Point Road might fall and damage electrical wires (power grid).

E. APPROVAL OF MINUTES

1. January 10, 2022 City Commission Meeting

2. February 22, 2022 City Commission Meeting
3. March 10, 2022 Special City Commission Meeting
4. March 22, 2022 City Commission Meeting
5. March 25, 2022 Special City Commission Meeting

Motion made by Commissioner Murvin for approval of Items E1 - E5, Seconded by Commissioner Boldin. Motion passed unanimously.

Voting Yea: Commissioner Murvin, Commissioner Boldin, Commissioner Gonzalez, Commissioner Perez, Mayor Babb

F. CONSENT AGENDA

G. REGULAR AGENDA

1. Selection of Vice Mayor

Motion made by Commissioner Boldin to appoint Commissioner Murvin as Vice-Mayor, Seconded by Commissioner Murvin. Motion passed (4-1)

Voting Yea: Commissioner Gonzalez, Commissioner Murvin, Mayor Babb, Commissioner Boldin

Voting Nay: Commissioner Perez

Mr. James Fishback presented for Incubate Debate recognizing Madison Jones (5th Place) and Joshua Hopson (1st Place) both Juniors at Pahokee High School competed against over 80 students statewide at the Youth Economic Summit.

1. ORDINANCE(S) & PUBLIC HEARING:

- A. ORDINANCE 2022 - 01 (second reading) AN ORDINANCE OF THE CITY OF PAHOKEE, FLORIDA, ESTABLISHING A CITY ADVISORY BOARD, BY CREATING A NEW SECTION 2-167 "AMERICAN RESCUE PLAN ACT (ARPA) ADVISORY COMMITTEE" OF ARTICLE V "BOARDS AND COMMISSIONS" OF DIVISION 4 "COMMUNITY RELATIONS BOARD" OF THE CITY CODE; PROVIDING FOR THE QUALIFICATION AND APPOINTMENT OF MEMBERS; ESTABLISHING TERMS OF OFFICE; PROVIDING FOR RULES OF PROCEDURE; PROVIDING FOR JURISDICTION; PROVIDING FOR STANDARDS OF CONDUCT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

Mrs. Norris-Weeks read Ordinance 2022 - 01 into the record.

Public Hearing Open: 6:20 pm

Public Hearing Closed; 6:20 pm

Motion made by Vice-Mayor Murvin to approve Ordinance 2022 -01 (final reading), Seconded by Commissioner Boldin. Motion passed unanimously.

Voting Yea: Commissioner Boldin, Commissioner Gonzalez, Vice-Mayor Murvin, Commissioner Perez, Mayor Babb

2. RESOLUTION(S):

- A. RESOLUTION 2022 - 09 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPOINTING BURNADETTE NORRIS- WEEKS, P.A. TO THE POSITION OF CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE.**

Mrs. Norris-Weeks read Resolution 2022 - 09 into the record.

Motion made by Vice-Mayor Murvin to approve Resolution 2022 - 09, Seconded by Commissioner Boldin. Motion passed (4-1)

Voting Yea: Commissioner Boldin, Commissioner Gonzalez, Vice-Mayor Murvin, Mayor Babb

B. RESOLUTION 2022 - 10 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPOINTING RODNEY D. LUCAS AS INTERIM CITY MANAGER; PROVIDING AN EFFECTIVE DATE.

Mrs. Norris-Weeks read Resolution 2022 - 10 into the record.

Motion made by Vice-Mayor Murvin to approve Resolution 2022 - 10, Seconded by Commissioner Boldin.

Commissioner Boldin advised he would like for Mr. Lucas to be the permanent City Manager and for the City to move forward. Discussion ensued in reference to Mr. Lucas and Ms. Adams's positions.

Motion made by Vice-Mayor Murvin to approve Resolution 2022 - 10, Seconded by Commissioner Boldin. Motion passed (4-1)

Voting Yea: Commissioner Boldin, Commissioner Gonzalez, Vice-Mayor Murvin, Mayor Babb

Voting Nay: Commissioner Perez

3. OTHER AGENDA ITEMS PRESENTATION:

A. Centennial Celebration - Dr. Patricia Wallace

Dr. Patricia Wallace thanked Ms. Adams for getting every vendor paid for the Centennial. Also, she thanked everyone that invested their time and energy to make sure the Centennial was a success. Dr. Wallace advised she would love for more local businesses to participate in the upcoming events and that we want to have unity in our community.

Dr. Patricia Wallace presented awards to the members of the Centennial Committee. Mayor Babb presented a plaque to Dr. Patricia Wallace as Centennial Chair.

Mrs. Burnadette Norris-Weeks read and presented the City of Belle Glade Proclamation congratulating the City of Pahokee's Centennial.

Motion made by Mayor Babb to allow the Centennial Committee to continue with the remainder of activities or events for the year as funding permits, Seconded by Commissioner Boldin.

Commissioner Gonzalez expressed concerns with the Centennial Committee handling Cinco De Mayo. Discussion ensued regarding Cinco De Mayo.

Motion made by Mayor Babb to allow the Centennial Committee to continue with the remainder of activities or events for the year as funding permits, Seconded by Commissioner Boldin.

Motion passed (4-1)

Voting Yea: Commissioner Boldin, Commissioner Gonzalez, Vice-Mayor Murvin, Mayor Babb

Voting Nay: Commissioner Perez

H. REPORT OF THE CITY MANAGER

Ms. Adams gave a brief overview of Economic Development as followings:

Barfield Highway FDOT

- Rosso Site Development has been paid for November (\$98,728.32), December 2021, & January 2022 (\$264,630.45)
- Momentum CEI has been paid for January & February (\$30,003.36)
- The roads are being watered consistently at least 3-4 times a week.

- The delay in work over the last few months was due to AT&T's conflict lines.
- By the end of this month, they will have at least an inch & half of the asphalt laid between 7th Street and 4th Street.
- There is a change order that was signed off on previously. Ms. Adams will be bringing a resolution back at the next commission meeting to ratify.

East Lake Village Stormwater Improvement Project

Ms. Adams advised this project of being closed out and finalizing DEP reports & contractor payments. Discussion ensued regarding East Lake Village Stormwater Improvement Project.

Brownfield

Ms. Adams spoke with EPA & will be submitting the final FFR form to EPA.

Demolition

Project 647 (Old House next to Commissioner Park) - This project is scheduled to go out to bid/advertised on Friday, April 15, 2022.

Sidewalks

We will begin repairing and replacing the sidewalks located throughout the City. The contract will be presented at the next commission meeting.

City Manager's Vehicle

The City received a check yesterday from the insurance company for the former City Manager's accident in February. The total amount of the check was \$19,595.00.

HCT Certified Public Accountants

HCT was paid their last payment of \$13,420.00. They were supposed to be present, but we'll reschedule that for April 26, 2022, City Commission Meeting.

PC Network Solution

Ms. Adams request the Commission's approval to terminate the PC Network Solution Contract. She advised the cancellation cost is \$15,780.00 for the remaining four (4) months. This cancellation will provide a thirty (30) day notice that becomes effective May 13, 2022. Discussion ensued regarding issues with PC Network Solution.

Motion Made by Mayor Babb for Interim City Manager to terminate the contract with PC Network Solution, Seconded by Vice-Mayor Murvin. Motion passed unanimously.

Voting Yea: Commissioner Boldin, Commissioner Gonzalez, Vice-Mayor Murvin, Commissioner Perez, Mayor Babb

DOH Fine for the Marina Lift Station

DOH's fine was paid on March 28, 2022. The lift station has been secured with a fence and signage is being posted in case of an emergency.

Ms. Adams advised Spring Egg Hunt will be held on April 15, 2022.

I. REPORT OF THE CITY ATTORNEY

Mrs. Norris-Weeks gave an update on cases with the City of Pahokee. One (1) work comp case, a case against Chandler Williamson, and Mark Miller Case. Discussion ensued regarding the City of Pahokee versus Chandler Williamson.

Motion made by Commissioner Boldin to dismiss the Chandler Williamson case, Seconded by Vice-Mayor Murvin. Motion passed (3-2)

Voting Yea: Commissioner Boldin, Vice-Mayor Murvin, Mayor Babb

Voting Nay: Commissioner Gonzalez, Commissioner Perez

J. OLD BUSINESS:**1. ZAP Board Applicants**

Motion made by Commissioner Perez to wait until the next meeting to vote on ZAP Board Members, Seconded by Commissioner Gonzalez. Motion fail (2-3)

Voting Yea: Commissioner Gonzalez, Commissioner Perez

Voting Nay: Commissioner Boldin, Vice-Mayor Murvin, Mayor Babb

Motion made by Vice-Mayor Murvin to appoint Carl Booth 3yr term, Sanquetta Cowan 2yr term, Eleanor Johnson-Babb 2yr term, Everett McPherson 1yr term, Patricia Wallace 3yr term, Tamara Dowdell & Paula Phillip as alternates, Seconded by Commissioner Boldin.

Voting Yea: Commissioner Boldin, Vice-Mayor Murvin, Mayor Babb

Voting Nay: Commissioner Gonzalez, Commissioner Perez

K. NEW BUSINESS:

1. FY 2019-2020 Annual Audit Report reschedule to the next commission meeting.

2. PC Network Solutions was already approved during the Report of the City Manager.

L. COMMISSIONER COMMENTS

Mayor Babb asked the Interim City Manager to continue the process of looking into annexation to include Padgett Island, Fremd Village, and Doveland. He suggested that the Commission do a quarterly walk-through of the City with the Interim City Manager selecting which Commissioner during the quarter. Mayor Babb requested having quarterly Town Hall Meetings and having IT include streaming in Spanish and Creole. Also, requesting quarterly clean-up.

Motion made by Mayor Babb to add the Interim City Manager as a signatory on bank accounts, Seconded by Commissioner Murvin. Motion passed unanimously.

Voting Yea: Commissioner Gonzalez, Commissioner Murvin, Commissioner Perez, Mayor Babb, Commissioner Boldin

Commissioner Gonzalez no comment.

Commissioner Boldin advised everyone has a responsibility and if we want to move forward we have to do a better job at maintaining our emotions. We have to restore some form of order.

Commissioner Perez no comment.

Motion made by Vice-Mayor Murvin to approve of citizens yielding time with a limit of two (2) minutes, Seconded by Commissioner Boldin. Motion passed unanimously.

Voting Yea: Commissioner Gonzalez, Vice-Mayor Murvin, Commissioner Perez, Mayor Babb, Commissioner Boldin

Motion made by Vice-Mayor Murvin to have the City Attorney draft an ordinance about the conduct of doing business at the commission meeting, Seconded by Commissioner Boldin. Motion passed (4-1)

Voting Yea: Commissioner Boldin, Commissioner Gonzalez, Vice-Mayor Murvin, Mayor Babb

Voting Nay: Commissioner Perez

Vice-Mayor Murvin expressed concerns about blight and dangerous buildings. Discussion ensued regarding equipment for maintaining the City.

Mayor Babb advised we are inviting Inframark to our next commission meeting and that we have some alternatives.

Vice-Mayor Murvin asked staff to find funds to bring staff up to \$15.00 per hour.

Motion made by Mayor Babb to adjourn the meeting, Seconded by Commissioner Boldin. Motion passed unanimously.

Voting Yea: Commissioner Boldin, Commissioner Gonzalez, Vice-Mayor Murvin, Commissioner
Mayor Babb

Section E, Item 2.

There being no further business to discuss, Mayor Babb adjourns the meeting at 9:58 pm.

Keith W. Babb, Jr., Mayor

ATTEST: Tijauna Warner, City Clerk



CITY COMMISSION SPECIAL MEETING

Meeting Streamed By YouTube - LIMITED CAPACITY
Monday, April 18, 2022

MINUTES

Pursuant to due notice the regularly scheduled Commission meeting was held in the Commission Chambers at 360 East Main Street, Pahokee, Palm Beach County, Florida on April 18, 2022.

The meeting was called to order by Mayor Babb at 5:02 p.m.

A. INVOCATION AND PLEDGE OF ALLEGIANCE

B. ROLL CALL

PRESENT

Mayor Keith Babb

Vice Mayor Clara Murvin

Commissioner Derrick Boldin

Commissioner Juan Gonzalez

Commissioner Sara Perez

Interim City Manager Rodney Lucas

City Attorney Burnadette Norris-Weeks

City Clerk Tijauna Warner

C. TOPIC

- 1. RESOLUTION 2022 – 05(b) (*Public Hearing*) A FINAL RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, IN ACCORDANCE WITH ARTICLE III, ENTITLED “CHARTER OFFICERS”, SECTION 3.03, ENTITLED “REMOVAL”; TO CONSIDER REMOVAL OF CITY MANAGER GREG THOMPSON AND OFFER AN OPPORTUNITY FOR A PUBLIC HEARING BEFORE THE COMMISSION ON MATTERS RAISED BY PRELIMINARY RESOLUTION NO. 2022-05(A) PERTAINING TO THE TERMINATION OF THE CITY MANAGER WITH CAUSE.**

Mrs. Norris-Weeks read Resolution 2022 - 05(b) into the record.

Public Hearing Opens 5:06 p.m.

Public Hearing Closed 5:06 p.m.

Mrs. Norris-Weeks asked if the attorney that's representing Mr. Thompson is present to come forward. No one was present to represent Mr. Thompson. She advised a written response was received on behalf of Mr. Thompson. Mrs. Norris-Weeks gave the background information on how the City got to this public hearing.

Mrs. Norris-Weeks read Section 3.03 Removal into the record.

Mrs. Norris-Weeks explained that the City Commission will be determining the final resolution today.

Mrs. Norris-Weeks read Written response of the City Manager to Resolution 2022 - 05(a) into the record.

Mrs. Norris-Weeks read Section 2-91 Qualifications into the record.

Mrs. Norris- Weeks explained base on the minutes that she received from the City Clerk, it appears there were a number of questions asked about the City Manager's application or resume that will be on file. That was not provide, this is a form of insubordination. Mrs. Norris-Weeks advised the City has a personnel manual which has a requirement in it, that employee's who are injured while preforming their duties should make immediate report of injury to their immediate supervisor. In this case, Mr. Thompson immediate supervisor is the City Commission. The failure of an employee to report an on the job injury shall be ground for disciplinary actions. Mrs. Norris-Weeks explained she went back to review the tapes and there's no mention of retaliation. Discussion ensued regarding Mr. Greg Thompson termination with cause.

Motion made by Vice Mayor Murvin to approve Resolution 2022 - 05(b), Seconded by Commissioner Boldin. Motion passed (4-1)
Voting Yea: Mayor Babb, Commissioner Babb, Commissioner Gonzalez, Vice Mayor Murvin
Voting Nay: Commissioner Perez

D. DISCUSSION, COMMENTS, CONCERNS

Commissioner Perez no comments.

Commissioner Gonzalez wants everyone to understand that nobody's perfect and that he doesn't like being lied to.

Commissioner Boldin expressed concerns about the fact that this ever happened. He questioned why we had a majority vote for Mr. Thompson to be the City Manager. Commissioner Boldin explained the City Commission's job to hire a strong City Manager that meets the qualifications.

Vice-Mayor Murvin no comment.

Mayor Babb advised the IG have several reports as far as an investigation.

E. ADJOURN

Motion made by Commissioner Murvin to adjourn the meeting, Seconded by Commissioner Boldin. Motion passed unanimously.
Voting Yea: Mayor Babb, Commissioner Gonzalez, Commissioner Murvin, Commissioner Perez, Commissioner Boldin

There being no further business to discuss, the meeting was adjourned at approximately 6:13 p.m.

Keith W. Babb, Jr., Mayor

ATTEST: Tijauna Warner, City Clerk

ORDINANCE NO. 2022 - 02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, REPEALING AND REPLACING ARTICLE II, SECTION 2-26 ENTITLED "CITY COMMISSION MEETINGS GENERALLY" AND 2-29 ENTITLED "ORDER OF BUSINESS"; RENUMBERING AND REORDERING AS NECESSARY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Pahokee ("City Commission") desires to revise its Rules of Procedure by revising Article II, Section 2-26, of the City of Pahokee's Code of Ordinances.

WHEREAS, the City Commission desires to revise its Rules of Procedure by revising Article II, Section 2-29, of the City of Pahokee's Code of Ordinances.

WHEREAS, the City Commission finds that it would operate more efficiently if revised Rules of Procedure were adopted and followed.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AS FOLLOWS:

Section 1. Amending Section 2-26 of the City of Pahokee Code of Ordinances entitled "City Commission Meetings Generally", which shall be replaced and shall read as follows

City commission meetings generally.

(a) *Ground rules for decorum regarding members of the city commission.* The following shall constitute the guidelines for decorum to be adhered to by members of the city commission in their respective roles as elected public officers of the city:

- (1) Members of the city commission shall:
 - A. Each conducts themselves with dignity;
 - B. Agree to disagree with each other; and

C. Show respect for the points of view of other members of the city commission.

- (2) Members of the city commission shall not:
- A. Falsely accuse another member of the city commission of wrongdoing;
 - B. Criticize each other in a rancorous or unprofessional manner;
 - C. Make personal attacks on another member of the city commission; or
 - D. Individually act without the support of the city commission.

(b) *Procedures and Scope.*

(1) The City of Pahokee city commission is permitted by Florida law to determine its own rules of procedure. Unless otherwise set forth herein, all municipal meetings shall be conducted in accordance with the procedural requirements as established by Robert's Rules of Order, said rules of order being incorporated into this section by reference.

(2) The City Commission, the City Manager, the City Clerk, and the public shall be governed by the terms, conditions, and provisions of this section as the basis and framework for procedures of the City Commission.

(3) Members of the city commission and other public officers attending or participating in any regular or special meeting of the city commission shall abide by the standards of conduct and values set forth by to Code of Ethics for Public Officers to be established by the Commission.

(c) *Agenda.* Unless otherwise set forth herein, City Commissioners shall agree by majority vote on items to be placed on a Commission agenda. Decisions regarding the placement of an agenda item shall be made by the Commission no later than the meeting immediately preceding the placement of the item to be discussed and voted upon. A portion of each regular commission agenda shall be set aside for discussion of future agenda items.

The City Manager and the City Attorney may agenda an item for discussion and vote, without Commission consideration, if the item involves the regular business and administration for smooth operations of the City.

(d) *Duties and responsibilities of mayor.*

(1) The mayor or presiding officer at any regular or special meeting of the city commission shall only introduce agenda items by the agenda item number and the brief title as listed on the agenda with no further explanation or comment. Thereafter, the mayor or presiding officer may call on the City Manager, and the City Manager or his or her designee shall furnish a brief explanation of the item under consideration. The item shall then be opened for public hearing, if applicable,

or discussion by the city commission as required for the particular item under the time limits imposed by this section.

(2) Any comments or questions by the attending public shall be directed to the mayor or presiding officer. Members of the city commission shall direct all comments and questions on the subject matter being discussed to the mayor or presiding officer only and shall not engage in cross conversations with other members of the public or direct any questions to other members of the city commission or to the public. The mayor or presiding officer shall not unreasonably withhold or delay recognition of any member of the city commission desiring to speak. The mayor or presiding officer shall recognize other members of the city commission in rotation and not call on any member a second and subsequent time until such time as all members of the city commission shall have had the opportunity to speak.

(3) If the mayor or presiding officer desires to participate in a discussion, he or she shall do so only when the speaking member of the city commission has relinquished the floor. The mayor or presiding officer shall not interrupt a speaking member of the city commission for the purpose of comment other than to move the discussion forward.

(4) The mayor or presiding officer shall not use his or her power as chair to dominate debate or discussion, nor shall the mayor or presiding officer unreasonably cut short or prolong any debate, discussion, or taking of a vote.

(5) Motions to change the order of business shall require a majority vote of the city commission.

(7) The mayor or presiding officer, in consultation with the city attorney, shall make rulings on parliamentary procedure. At least three (3) votes of members of the city commission is required to overrule the mayor or presiding officer on rulings of parliamentary procedure.

(8) The mayor or presiding officer may, during city commission proceedings, request that the city commission move on to the next item on the meeting agenda by voting or otherwise.

(e) *Time of meetings.* All regularly scheduled meetings of the city commission shall begin not later than 6:30 p.m., and shall end no later than 9:00 p.m. Any items remaining on the agenda shall be placed under Old Business for the next commission agenda. In setting matters over to the next meeting or a special meeting, the city clerk is directed to take into consideration all notice provisions relative to municipal ordinances and, specifically, Florida Statutes, Section 166.041.

(f) *City commission discussion.*

(1) Discussion by a member of the city commission shall not be limited, unless a motion to limit debate is made and adopted. Each member of the city commission shall be afforded the opportunity to offer rebuttal to each item discussed. A motion to limit debate shall take precedence over all motions, except a motion to adjourn, a point of order, or a motion to table.

(2) Each member of the city commission and the public who desires to speak shall address the mayor or presiding officer, and upon recognition by the mayor or presiding officer, shall confine himself or herself to the issues under debate, avoiding all personalities and indecorous language.

(3) Members of the city commission shall not interrupt anyone who has the floor, unless it is to call the meeting to order, or as otherwise provided in this section. If a member of the city commission desires to direct questions to another member of the city commission or the public, the questions shall be directed to the mayor or presiding officer who in turn will recognize the individual who wishes to answer the specific question.

(4) While the city commission is in session, members of the city commission and the public present at the meeting shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the city commission. There shall be no audience outburst and disruptive conversation from members of the public.

(g) Citizen's Rights

(1) Right to be Heard: Members of the public shall be given a reasonable opportunity to be heard on agenda items except as provided for below. Public input shall be limited to three (3) minutes. This right does not apply to:

- i. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the Commission to act.
- ii. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
- iii. A meeting that is exempt from Section 286.011, Florida Statutes; or
- iv. A meeting during which the Commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

(h) Manner of Addressing the Commission - Time Limit: Each person addressing the Commission shall sign in with the City Clerk no later than 6:35 PM. Persons shall step up to the microphone, shall give his/her name and address in an audible tone of voice for the record and, unless further time is granted by the Commission, shall limit his/her address to three (3) minutes. All remarks shall be addressed to the Commission as a body, and not to

any member thereof. No person, other than members of the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Commission. When requested by any member of the Commission the City Manager, City Attorney, as well as staff members, may enter into any discussion. No questions shall be asked the Commissioners, except through the presiding officer. The City Manager and the City Attorney may ask the Chair for permission to speak at any time. Questions regarding day-to-day operations should be directed to the City Manager for an answer at a later time.

i) *Personal and Slandorous Remarks:* Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the Commission may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the Commission at the meeting from which ejected.

(j) *Freedom of Expression.* Nothing herein shall be construed to limit any member of the public from expressing their opinions outside of a public meeting.

(k) *Application to city boards.* All references in this section to "city commission" shall also mean the various city boards provided for in this code or created by the city commission.

(l) *Special meetings.* Special meetings of the governing body shall be called solely for specific and stated purposes only. It is the intention of the city commission that no items shall be added to a special meeting agenda other than those items for which the meeting was called.

(m) *Quorum and dismissal from City boards/committees.* The majority of the voting members present at any Board/Committee meeting shall constitute a quorum to conduct business. Board/ Committee members shall be removed from a board/committee for missing three (3) consecutive committee meetings or four (4) total meetings during any fiscal year, unless due to illness or excused by a vote of the City Commission.

Board/Committee members shall serve at the pleasure of the commission and may be suspended and removed for other just cause. Any committee/board member who becomes a candidate for public elective office, or becomes an employee of city, shall automatically forfeit committee membership status.

Section 2. Amending Section 2-29 of the City of Pahokee's Code of Ordinances entitled "Order of Business", shall be replaced and shall read as follows:

Order of Business.

The following order of business shall be observed:

- a. Invocation and Pledge of Allegiance;
- b. Roll call;
- c. Additions, deletions, and approval of agenda items;

- d. Citizen Comments/Public Service Announcements – All Items On Agenda (3 Minutes);
- e. Approval of minutes;
- f. Consent agenda;
- g. Resolution(s)
- h. Ordinance(s);
- i. Public hearings;
- j. Proclamation(s);
- k. Presentation(s);
- l. Report of the mayor;
- m. Report of the city manager;
- n. Report of the city attorney;
- o. Old business (discussion of existing activities or previously held events, if any)
- p. New business (conversation about an activity or event upcoming, if any);
- q. Future Agenda Items of Commissioners, if any.
- r. For the Good Of The Order (community events, feel good announcements)
- s. Adjourn.

At all special meetings, the regular order shall be dispensed with after the roll call with the exception of public comment which shall be three (3) minutes per person.

Section 3. City commissioners' votes recorded on ordinances and resolutions.

Each city commissioner's vote shall be recorded on all ordinances and resolutions presented to the city commission.

Section 4. Votes required to pass resolutions.

A minimum of three (3) votes in favor of a resolution is required to effect passage of the resolution.

Section 5. Requests for readily available information; reporting citizen complaints.

When requesting readily available information or documents not requiring research or analysis, or relaying citizen complaints regarding code enforcement violations, members of the city commission may deal directly with department director under the direction and supervision of the City Manager for questions only. For all other inquiries, requests for action or assistance, or reports, including but not limited to complaints regarding, by, or about employees of the city, members of the city commission shall deal solely with the City Manager. All follow-up to inquiries by members of the city commission shall be made to the City Manager. No orders may be given by any City employee by any City Commissioner.

Nothing in this section shall be construed to permit any member of the city commission to suggest, direct, or instruct any city staff member to perform any duties or functions, not previously directed by the City Manager or to resolve citizen complaints in a specific manner.

Section 6. Clerk designated custodian, duties.

The City Clerk shall be the custodian of the public records of the city for all purposes consistent with Florida law. Any public record coming into the possession of any officer, official, employee, agent or servant of the city. All public records received by the city clerk shall have placed thereon an appropriate designation as to the time and date of receipt. Duplicates of any instruments or records of which the city clerk has the original, need not be filed with the city clerk.

Section 7. Inspection by citizens.

The public records of the city shall be open for inspection of any interested person or party during the customary business hours of the city clerk's office, subject however to the proper rules and regulations for the efficient conduct of the clerk's business and Florida law.

Section 8. Removing or withholding from custodian.

No person shall remove, conceal, withhold, retain or keep any public record from the lawful custody of the city clerk.

Section 9. Public hearings.

It is the intent of this provision to provide citizens of the City of Pahokee with the earliest opportunity to comment on proposed ordinances. Public hearings shall be held at the second reading of the ordinance, except as otherwise provided by law.

Section 10. Indemnification of municipal offices for losses and expenses incurred in defense of litigation instituted against official for actions in discharging municipal duties.

(a) *Definitions.*

- (1) "Official" shall mean the mayor, every city commissioner, officer, agent, or employee of the city, whether elected, appointed or employed, with or without compensation.

(2) "Indemnification" shall include the payment of all expenses and losses, including reasonable counsel fees, paid, incurred or imposed upon an official as a result of any litigation or proceeding.

(3) "Expense" shall include any monies paid by an official and incurred in the defense or settlement of any litigation or proceeding, including but not limited to, legal fees, costs of litigation, and the amount of any settlement, judgment or verdict.

(b) *Indemnification.*

(1) Whenever in the performance of, or in connection with the performance of, official duties in behalf of the city, an official has been involved or shall hereafter be involved in a dispute, proceeding or litigation, either in a representative or individual capacity, with or without the city as a co-party in the matter, the city shall promptly indemnify said official. The city shall promptly preserve, protect, defend, aid and assist said official, and exonerate, indemnify and hold harmless said official from and against any and all expenses, liabilities, claims, demands, proceedings, damages, losses, charges, advances, disbursements, payments, expenses, costs, including reasonable counsel fees following approval of commission, awards, settlements, judgments, decrees and mandates, paid, incurred by, or imposed upon said official in all disputes, proceedings, trials and appeals, by reason of said official being or having been a city official, even though he is no longer an official at the time the expenses are incurred or the claims are made against him. The protection herein guaranteed shall exist during and after the term of office or employment, for liabilities incurred during the term of office or employment if in the persons official capacity.

(2) Each official protected hereby shall promptly cooperate in his or her own defense, and shall:

- A. File a written notice with the City Manager requesting indemnification, which notice shall include all summons, writs and other documents pertaining to the claim made against said official;
- B. Attend hearings, trials, and depositions and furnish such evidence as shall be needed;
- C. Grant the city full rights of subrogation and the right to recover under any claims, offsets, or counterclaims of the protected official arising out of or in connection with the controversy involved in this section; provided, that if the protected official shall recover any sum, then the city shall deduct all disbursements, costs, and expenses of litigation including attorneys' fees, and any award against the city, and the remainder shall belong to the protected official;
- D. Execute and deliver to the city all assignments, papers, and documents needed to carry out the purposes of this section.

(3) If at any time it shall appear that the controversy has no connection with official duties, the city commission may require an investigation and report by the City Manager and/or City Attorney. The city may, for good cause, refuse to proceed with the indemnification or defense by use of the following procedure:

- A. The official shall be given a written notice, at least twenty (20) days before a hearing, and a written complaint showing that the controversy has no connection with official duties. The notice shall state the particulars of the complaint with enough detail so that the person may prepare his defense;
- B. At the hearing, which shall be before the city commission, the city and the official shall produce witnesses who shall give sworn testimony;
- C. At the conclusion of the hearing, the commission shall make its findings of fact and conclusions on the evidence. If the commission shall find that the controversy has no connection with official duties, and involves only a private or personal matter, then the commission may refuse to proceed with the indemnification and defense.

(4) After final determination the city may, for good cause, refuse to pay any judgment or decree entered against any official by following this procedure after a final judgment or decree, including any appellate proceedings:

- A. The official shall be given a written notice, at least twenty (20) days before a hearing, and a written complaint showing that he did not act in good faith and was guilty of a flagrant, willful, and intentional violation of a city ordinance or a law of Florida. The notice shall state the particulars of the complaint with enough detail so that the person may prepare his defense;
- B. At the hearing, which shall be before the city commission, the city and the official shall produce witnesses who shall give sworn testimony;
- C. At the conclusion of the hearing the commission shall make its findings of fact and conclusions on the evidence. If the commission shall conclude that the official did not act in good faith and was guilty of a flagrant, willful and intentional violation of a city ordinance or a law of Florida, then the commission may refuse to pay all or a part of said judgment or decree;
- D. If the official shall willfully fail or refuse to cooperate in his defense, then the commission may, to the extent that the city was damaged thereby, reduce the protection and indemnification provided under this section.

(5) At all hearings hereunder the sole question shall be the obligation of the city to indemnify the official, and the merits of the claim made against the official shall not be an issue, so that the defense of the claim shall not be prejudiced.

Section 11. Settlement of claims; administrative procedure for expeditious processing of claims against and in favor of City.

(a) In those instances where municipal property has been damaged or municipal employees have been injured due to the actions of third parties, and municipal funds have been or will be expended for property repairs or medical costs, recovery shall be sought as follows:

(1) The City Manager shall evaluate all such claims and shall attempt to secure full reimbursement.

(2) To the extent that a specific fund is budgeted, whenever the municipal claim can be satisfied in full and the city completely indemnified, the City Manager shall be authorized to release the third party from liability upon payment in full. If the amount of the claim is more than five thousand dollars (\$5,000.00), the form of the release shall be reviewed and approved by the city attorney and approved by the City Commission before being executed and provided to the person/party being released.

(3) Whenever partial settlement of a municipal claim has been offered, the City Manager shall coordinate with the applicable insurance carrier and City Attorney and evaluate the settlement offer as follows:

A. If the total amount of the municipal claim involved is five thousand dollars (\$5,000.00) or less, the City Manager shall be authorized to settle the claim.

B. If the total amount of the municipal claim involved is more than five thousand dollars (\$5,000.00), the City Manager shall cause the proposed settlement to be placed upon the agenda of the next regularly scheduled meeting of the city commission. Upon recommendation by the City Manager, the city commission shall then determine whether or not to accept the proposed settlement offer.

(4) The City Attorney shall be available to advise the city commission and the City Manager at all stages of the above proceedings.

(5) In those instances where settlement of municipal claims cannot be effected within a reasonable time, the City Attorney, with an approving vote of the city commission, shall file the appropriate lawsuit to effect collection of the claim.

(6) The City Commission shall be notified by the City Manager at the next regular City Commission meeting of the amount of any claim settled by the City Manager.

Section 12. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications

of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 13. Effective Date.

 This Ordinance shall take effect immediately upon final passage.

PASSED FIRST READING this ____ day of _____ 2022.

PASSED SECOND READING this ____ day of _____ 2022.

Keith W. Babb, Jr., Mayor

ATTEST:

Tijauna Warner, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, Esq.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Bohlen	_____ (Yes)	_____ (No)
Commissioner Everett	_____ (Yes)	_____ (No)
Commissioner Hill	_____ (Yes)	_____ (No)
Vice-Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)



AGENDA

MEMORANDUM

TO: HONORABLE MAYOR & CITY COMMISSIONERS

VIA: RODNEY LUCAS, INTERIM CITY MANAGER

FROM: Lynne Ladner

SUBJECT: Budget Amendment #2

DATE: May 6, 2022

GENERAL SUMMARY/BACKGROUND:

With the ongoing Pahokee Centennial year events and the desire to ensure that the events that have already taken place as well as any other events that will occur before the end of FY 2021-2022 have adequate support the attached budget amendments are recommended.

The Centennial Committee has currently collected approximately \$25,000 in donations for events related to the Centennial year. However, the original approved budget and the additional approved expenditures along the purchase order which has already been approved for the 4th of July fireworks to secure the annual display has as of 4/30/22 brought the funding for events perilously close to \$0. By the time the Commission considers this amendment costs will have been incurred for the annual Cinco de Mayo event that will most likely exceed vendor revenues and the remaining balance of funds for centennial events.

Choosing not to impact cash reserves, and with the City having remained without an on-staff Finance Director for FY 2021-2022 and this position currently being filled by a contractor whose fees have been otherwise budgeted for in Amendment #1 reallocating the executive salaries under General Finance and Accounting between Community Development Promotional Activities and Non-Departmental Fourth of July Fireworks will bring these to accounts into balance and provide the Centennial Committee with an additional allocation of funds for the remaining events of Juneteenth, 4th of July, Back to School Bash, and Caribbean Heritage Month.

BUDGET IMPACT:

Positive revenue from donations, but budget-neutral otherwise as it is a reallocation of funds within the General Fund

LEGAL NOTE:

STAFF RECOMMENDATION:

Approve Resolution 2022 - 16

ATTACHMENTS:

Resolution 2022 – 16
Budget Amendment #2 Exhibit A
Donations Report - GF Account 363000
Centennial Committee budget YTD

RESOLUTION 2022 - 16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA APPROVING BUDGET AMENDMENT NO. 2 IN THE AMOUNT OF \$20,000.00 FOR FISCAL YEAR 2021-2022, SET FORTH IN COMPOSITE EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fiscal Year 2021-2022 budget was adopted by the City Commission of the City of Pahokee, Florida (the "City") on September 28, 2021; and

WHEREAS, Budget Amendment No. 2 set forth in Exhibit "A", will increase the current budget for Fiscal Year 2021-2022 from \$7,246,112.00 to \$7,266,112.00 a difference of \$20,000.00: and

WHEREAS, the General Fund will increase in revenues by \$20,000.00 to account for unexpected donations for Centennial Year Events; and

WHEREAS, the expenditures will be reallocated from the General Fund Finance and General Accounting - Executive Salaries to Community Development - Promotional Activities and General Fund Non-Departmental - Fourth of July Fireworks; and

WHEREAS, it is now necessary to amend the Fiscal Year 2021-2022 Budget to reflect the total budget increase of \$20,000.00.

WHEREAS, the City Commission of the City of Pahokee, Florida, finds that approving Budget Amendment No. 2, attached hereto as Exhibit "A", is in the best interest of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing whereas clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Budget Amendment No. 2. The City Commission of the City of Pahokee, Florida hereby approves Budget Amendment No. 1 for the Fiscal Year 2021-2022, attached hereto as Exhibit "A", providing for a total budget increase of \$20,000.00.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 10th day of May, 2022.

Keith W. Babb, Jr., Mayor

ATTEST:

Tijauna Warner, City Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Vice Mayor Murvin	_____ (Yes)	_____ (No)
Commissioner Boldin	_____ (Yes)	_____ (No)
Commissioner Gonzalez	_____ (Yes)	_____ (No)
Commissioner Perez	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)

Composite Exhibit "A"

Budget Amendments Summary FY2021-2022

Budget Summary Fiscal Year Ending September 30, 2022

2022-002 by Fund

Use this form for items not anticipated in the budget

Line Item		Original	Current			Adjusted	Remaining
Number	Description	Budget	Budget	Increase	Decrease	Budget	Balance
<u>Revenues</u>							
<u>General Fund</u>							
1.363000'	Donations (Centennial)	5,000.00	25,000.00	20,000.00			-
		-	-			-	-
Total		5,000.00	25,000.00	20,000.00	-		-
	Total Revenue			20,000.00			
<u>Expenses</u>							
<u>General Fund</u>							
1.513011'	Executive Salaries (Financial & General Accounting)	80,000	0		80,000	0	-
1.555480'	Promotional Activities (Centennial and City Events)	15,000	100,000	85,000		100,000	52,076
1.590546'	Fourth of July Celebration (Fireworks ONLY)	10,000	25,000	15,000		25,000	-
Total Budget Increase				20,000			

Centennial Events Revenues and Expenditures

Section 2, Item A.

	Revenues		Expenditures	
Original Allocation	\$10,000			
Anticipated Donations	\$5,000			
Total	\$15,000			
Requested Allocation Increase	\$25,000			
Approved Increase	\$25,000			
Donations Received through 4/30/2022	\$20,845			
Total Revenues				\$60,845
Centennial Gala and Carnival			\$34,227	
Fourth of July Fireworks			\$25,000	
Total Expenditures				\$59,227
Remaining Funds 4/30/2022				\$1,618
Additional Anticipated Expenditures:				
Cinco De Mayo			\$8,500	-\$6,882
Juneteenth			\$8,500	-\$15,382
Fourth of July Events			\$8,500	-\$23,882
Back to School Bash			\$14,000	-\$37,882
Fall Festival			\$6,500	-\$44,382
Caribbean Heritage Month			\$8,500	-\$52,882



AGENDA

MEMORANDUM

TO: HONORABLE MAYOR & CITY COMMISSIONERS

VIA: RODNEY LUCAS, INTERIM CITY MANAGER

FROM: Jongelene Adams

SUBJECT: Community & Economic Development Department

DATE: 5th May 2022

GENERAL SUMMARY/BACKGROUND:

Barfield Highway Change Order #01 – This change order is for Barfield Highway Reconstruction. The change order will allow the Contractor – Rosso Site Development to install filter fabric – which related to issues with the foundation for drainage.

This change order was initially was presented to the City of Pahokee in September 2021. Previous Staff did not present this change order to the commission for approval at that time.

BUDGET IMPACT:

\$21,402.38 – 21 additional contract days which has been approved by the City Commission (FDOT Barfield Highway State- Funded Grant Supplemental Agreement – Resolution 2022-15)

LEGAL NOTE: N/A

STAFF RECOMMENDATION:

The Department of Community & Economic Development recommends Mayor & City Commission approve this change order #1 for the work that has already been completed.

ATTACHMENTS:

Resolution 2022 - 17
Change Order #1

RESOLUTION 2022 - 17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING THE CHANGE ORDER NO. 01 ON THE ATTACHED EXHIBIT “A”.

Whereas, there is a need for the approval of change orders on contracts that the City Commission has already approved; and

Whereas, this change order is for the installation of D3 filter fiber for Barfield Highway Reconstruction; and

Whereas, this change order has an increasing amount of \$21,402.38 and an increase in the contract time of 21 days.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, THAT:

- Section 1.

The change order listed in Exhibit “A” is hereby approved.
- Section 2.

The Finance Director is authorized to remit payment for the change orders.

PASSED AND ADOPTED this 10th day of May, 2022.

ATTESTED:

Keith W. Babb, Jr., Mayor

Tijauna Warner, City Clerk

APPROVED AS TO LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, City Attorney

Mayor Babb

Vice Mayor Murvin

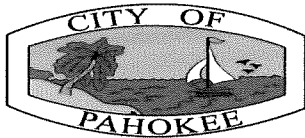
Commissioner Boldin

Commissioner Gonzalez

Commissioner Perez

Exhibit “A”

1. Rosso Site Development (Change Order #01) - \$21,402.38



CHANGE ORDER # 1

Project: Barfield Highway Reconstruction
Date of Issuance: 20 Sept 2021
Owner: City of Pahokee
Project Engineer: Momentum CEI
Consultant/Contractor: Rosso Site Development

Project No: FM# 442-030-1-31-01
Effective Date: 09/20/2021

Purpose of Change Order:

This change order is for the installation of D3 filter fabric for Barfield Highway Reconstruction.

This change order was not presented to the City of Pahokee City Commission at the time of issuance in September 2021 for approval and acceptance by the City Commission.

Attachment:

If a claim is made that the above change(s) have affected Contract Price or Contract Times any claim for a Change Order based thereon will involve one or more of the following methods of determining the effect of the change(s).

Method of determining the change is:
Change Price:

- ☐ Unit Price
☒ Lump Sum
☐ Other _____

Method of determining the change is:
Change Times:

- ☒ Contractor's records
☐ Engineer's records
☐ Other _____

Increase/Decrease in Contract Price:
Increased Amount - \$21402.38

Increase/Decrease in Contract Times:
Substantial Completion: 21 days

If the change involves an increase, the amount is not to be executed without further authorization

If the change involves an increase, the times are not to be exceeded without further authorization.

RECOMMENDED:

ENGINEER
BY: _____
(Authorized Signature)

AUTHORIZED:

City of Pahokee, FL
OWNER
BY: D. J. F.
(Authorized Signature)

1302 South J Street
Lake Worth, FL 33460



Ph: 561-689-0889
Fax: 561-689-2851

Owner CO No. 02

Owner CO No. 02

Change Order Request

Change Order No.: 04

Owner Proj. No.: 2020-007

Owner: City of Pahokee

RSD Proj. No.: 01-20037

Project: Barfield Highway

Date: 9/20/2021

Description: This change order relates to RFI #6. The potential issue with the foundation for the drainage was discovered on 7/27/21. The response to RFI #6 was received on 8/5/21. The underground subcontractor was able to resume work on 8/9/21.

#	Description	Qty	Unit	Unit Price	Total Price
	Filter Fabric	1	LS	\$ 21,402.38	\$ 21,402.38
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -

Total: \$ 21,402.38

Original Contract Amt	\$ -
Amount of this Change Order	\$ 21,402.38
Amount of Previous Change Order (s)	\$ -
New Total Contract Amount	\$ 21,402.38

Completion time extended 21 days If yes, new completion date?

When executed by all parties, this document will become part of the above reference construction contract.

Client Signature

Rodney D. Lucas City of Pahokee

Client Printed

Blair Simpson

Revisions			
#	Date	By	Description

1302 South J Street
Lake Worth, FL 33460

ROSSO
Site Development

Ph: 561-689-0889
Fax: 561-689-2851

CHANGE ORDER BREAKDOWN

Description of work: This change order relates to RFI #6. The potential issue with the foundation for the drainage was discovered on 7/27/21. The response to RFI #6 was received on

CO #: 04

EQUIPMENT					
#	Description	Qty	Unit	Unit Cost	Total Cost
1	Loader		HR	\$62.50	\$0.00
2	Tractor		HR	\$40.38	\$0.00
3	Roller		HR	\$56.12	\$0.00
4	Mixer		HR	\$202.61	\$0.00
5	Grader		HR	\$79.95	\$0.00
6	Backhoe		HR	\$93.41	\$0.00
7	Water Truck		HR	\$37.98	\$0.00
8	Dozer		HR	\$73.93	\$0.00
9	Paver		HR	\$61.50	\$0.00
10	Paving Roller		HR	\$40.38	\$0.00
11	Broom		HR	\$49.97	\$0.00
12	Excavator (30,000 lb)		HR	\$109.04	\$0.00
13	Excavator (70,000 lb)		HR	\$169.32	\$0.00
14	Tamp		HR	\$19.50	\$0.00
15	Saw		HR	\$19.50	\$0.00
16	Pick-Up Truck		HR	\$32.46	\$0.00
17	Dump Truck		HR	\$65.00	\$0.00
18	Curb Machine		HR	\$58.75	\$0.00

Equipment Subtotal \$0.00

Markup 0.175 \$0.00

EQUIPMENT TOTAL: \$0.00

LABOR					
#	Description	Qty	Unit	Unit Cost	Total Cost
1	Superintendent (w/ Pick-Up)		HR	\$108.75	\$0.00
2	Foreman (w/ Pick-Up)		HR	\$84.20	\$0.00
3	Operator-Road Crew		HR	\$38.06	\$0.00
4	Laborer-Road Crew		HR	\$20.79	\$0.00
5	Operator-Underground Crew		HR	\$36.24	\$0.00
6	Pipe Layer, Tailman, Laborer-Underground Crew		HR	\$26.32	\$0.00
7	Curb Machine Operator-Concrete Crew		HR	\$43.50	\$0.00
8	Finisher-Concrete Crew		HR	\$32.61	\$0.00
9	Former/Laborer-Concrete Crew		HR	\$23.65	\$0.00
10			HR		\$0.00
11			HR		\$0.00

Labor Subtotal \$0.00

Burden 0.489 \$0.00

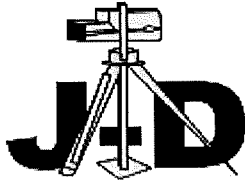
Markup 0.175 \$0.00

LABOR TOTAL: \$0.00

MATERIAL					
#	Description	Qty	Unit	Unit Cost	Total Cost
1			LS		\$0.00
2			LS		\$0.00
3					\$0.00
4					\$0.00
5					\$0.00
6					\$0.00
7					\$0.00
				Material Subtotal	\$0.00
				Markup 0.175	\$0.00
				MATERIAL TOTAL:	\$0.00

SUBCONTRACTORS					
#	Description	Qty	Unit	Unit Cost	Total Cost
1	Johnson Davis	1	LS	\$19,967.12	\$19,967.12
2		1	LS		\$0.00
3		1	LS		\$0.00
4		1	LS		\$0.00
5		1	LS		\$0.00
6		1	LS		\$0.00
7		1	LS		\$0.00
				Subcontractor Subtotal	\$19,967.12
				Markup 0.05	\$998.36
				SUBCONTRACTOR TOTAL:	\$20,965.48

Equipment Total:	\$0.00
Labor Total:	\$0.00
Material Total:	\$0.00
Subcontractors Total:	\$20,965.48
Bond & General Liability Insurance:	\$436.90
MOT:	\$0.00
Total:	\$21,402.38



CHANGE ORDER REQUEST

8/9/2021

Rosso Site Development
1302 South J Street
Lake Worth, FL 33460
Attn: James Washington

JOB NAME: Barfield Hwy
RE: Installation of D3 Filter Fabric

J-D COR #: 3
J-D JOB #: 41792

James,
The additional filter fabric required to RFI response for pipe and structure stability.

DATE: TBD
TASK: Installation of D3 Filter Fabric

Item	Description	Quantity	UOM	Price	Amount
1	Installation of D3 Filter Fabric	1	LSU	\$19,967.12	\$19,967.12

Total Amount of Change Order: **\$19,967.12**
Days Added: **2.00**

Please review and forward to the responsible parties for authorization.
As always, should there be any questions, please feel free to contact our office.

Sincerely,

Chad Rawlinson

Chad Rawlinson
Project Manager

Barfield Hwy
Johnson-Davis Change Order Request
Filter Fabric RFI Reponse

Bid Pricing					
D3 Filter Fabric 15'x300'	10	RL	\$ 575.00	\$	5,750.00
Foreman	20	HR	\$ 55.00	\$	1,100.00
Operator	20	HR	\$ 40.00	\$	800.00
Backhoe	20	HR	\$ 175.00	\$	3,500.00
Operator	20	HR	\$ 40.00	\$	800.00
Loader	20	HR	\$ 88.00	\$	1,760.00
Pipe Layer	20	HR	\$ 40.00	\$	800.00
Hillman	20	HR	\$ 38.00	\$	760.00
Tailman	20	HR	\$ 38.00	\$	760.00
Skilled Labor	20	HR	\$ 38.00	\$	760.00
				\$	16,790.00
7% On Materials				\$	402.50
Total Cost				\$	17,192.50
15 % Overhead & Profit				\$	2,578.88
				\$	19,771.38
Bond Premium				\$	195.74
Grand Total				\$	19,967.12

Pipe Size	Ft		Ft		Installed to Date		SF
18"	3.4	W	1	D	1368	LF	4651.2
14"x23"	4	W	1	D	111	LF	444
24"	4	W	1	D	1273	LF	5092
30"	4.5	W	1	D	1546	LF	6957
36"	5	W	1	D	407	LF	2035
84"	9	W	1	D	56	LF	504

	#	Ft		Ft			SF
STR	1	7x7	W	1	D	EA	49

Total Pipe Runs (SF):	19683.2
Total 54 Str (SF):	2646
15'x300' = 4500 SF ROLLS:	4500
Total Rolls :	4.962044
60% Waste Factor:	2.977227
Total Rolls Required:	7.939271

BOND CALCULATION

Location

BID DATE:

CURRENT PROJECT TOTAL IS: **\$19,771.38**

		CLASS A		
<u>PROJECT TOTAL</u>		BOND RATE	BOND RATE	BOND PREMIUM
<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>(\$/\$1000)</u>	<u>(MILS)</u>	<u>(\$)</u>
\$0.00	\$100,000.00	\$9.90	0.00990	\$195.74
\$100,000.01	\$500,000.00	\$9.90	0.00990	\$0.00
\$500,000.01	\$2,500,000.00	\$6.93	0.00693	\$0.00
\$2,500,000.01	\$5,000,000.00	\$5.94	0.00594	\$0.00
\$5,000,000.01	\$7,500,000.00	\$5.28	0.00528	\$0.00
\$7,500,000.01	--	\$5.28	0.00528	<u>\$0.00</u>
				\$195.74

PREMIUM FOR THIS PROJECT	\$195.74
TOTAL PREMIUM FOR THIS PROJECT	\$195.74



JOHNSON-DAVIS INC.

604 HILLBRATH DRIVE
LANTANA, FL 33462-1694
PHONE: 561-588-1170 FAX: 561-585-5252
CUC043087

Re:

Description:

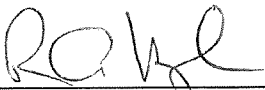
RE: BURDEN CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, Bob Hopler, the Vice President of Johnson-Davis Inc., certify that the following statements are true and correct.
The following information is submitted pursuant to Supplemental Specification 4-3.2.1.

Burden Rate Breakdown										
Workers Compen- sation	State Unemploy- ment & Federal	FICA	Vacation , Holiday, Personal Time, Bereavement Pay	Health / Dental Insurance	Life Insurance	401(K)	G/L Ins.	Disability Insurance	DFWP	
0.0774	0.062	0.0765	0.057	0.148	0.001	0.04	0.026	0	0.01	

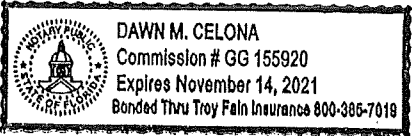
TOTAL BURDEN RATE = 49.79%


Signature

Sworn to and subscribed before me this 15th day of January, 2020


Notary Public personally known to me.

My Commission Expires:
Seal



RESOLUTION 2022-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING SIGNATORIES FOR VARIOUS BANK ACCOUNTS OF THE CITY OF PAHOKEE AT PNC BANK, N.A.; FURTHER AUTHORIZING CITY OFFICIALS TO EXECUTE ALL NECESSARY DOCUMENTS WITH PNC BANK, N.A.; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pahokee (“City”) recognizes PNC Bank, N.A. as its financial institution; and

WHEREAS, authorized signatories on the City’s bank accounts need to be updated to include Rodney Lucas, Interim City Manager; along with Lynn Ladner, Interim Finance Director, as primary signatories; and

WHEREAS, the City Commission further authorizes the City Clerk and the Mayor as back-up signatory/secondary signatory if one of the primary signatories is not available; and

WHEREAS, the City Commission of the City of Pahokee (“City Commission”) desires to approve signatories to the City’s bank accounts and further authorizes the execution of all necessary documents for the City’s banking accounts at PNC Bank, N.A.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AS FOLLOWS:

SECTION 1. Adoption of Representations. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

SECTION 2. Authorization and Approval. The City Commission of the City of Pahokee hereby authorizes and approves the Interim City Manager, Rodney Lucas., and the Interim Finance Director, Lynn Ladner, both of them, as primary signatories to the City’s bank accounts.

SECTION 3. Signatories to City Bank Accounts. The following City officials are hereby designated as the only authorized signatories to the City’s bank accounts:

Interim City Manager, Rodney Lucas

Interim Finance Director, Lynn Ladner

SECTION 4. Effective Date. This Resolution shall become effective immediately upon passage and adoption.

ATTESTED:

Tijauna Warner, City Clerk

Keith W. Babb, Jr., Mayor

APPROVED AS TO
LEGAL SUFFICIENCY:

By: _____
Burnadette Norris- Weeks, City Attorney

Mayor Babb	_____
Commissioner Boldin	_____
Commissioner Gonzalez	_____
Vice-Mayor Murvin	_____
Commissioner Perez	_____



Glades Region IT Scholarship

G.R.I.T.S

Glades Region IT Scholarship

Information technology is responsible for such a large portion of our workforce, business operations and personal access to information that it comprises much of our daily activities. Whether you are storing, retrieving, accessing or manipulating information, IT greatly impacts our everyday lives.

Rise and Shine in Partnership with CompTIA



1 - G.R.I.T.S are available to low-income residents in the Glades region.

-
- *IT Foundations*
 - *Comp TIA A+*

- *Comp TIA Network+*
- *Comp TIA Security+*

Four exciting IT paths to advance economic opportunity in the Glades

Rise and Shine Christian Academy Inc. is a 501(c)3. Our mission is to be an invaluable resource to the residents of the Glades region.

-
- *Our primary purpose is to provide the space and the resource to obtain IT certifications*
 - *We work as a team to achieve our goals*
 - *We are committed and dedicated in our mission to succeed.*
-

A CompTIA Security+ entry level makes on average \$53,588 per year, CompTIA A+ 38,248 per year, CompTIA Network+ 53,689 per year



-
- *We embrace diversity and inclusion in technology*
 - *Advancing Economic opportunity to combat poverty among low-income residents.*
 - *We welcome your support in our mission to provide G.R.I.T.S*
-

We thank you for your support!



-
- *Poverty and long term unemployment are the challenges we face.*
 - *G.R.I.T.S are a part of the solution. A step in the right direction.*
-



- *Poverty and long term unemployment are the challenges we face.*
- *G.R.I.T.S are a big part of the solution. A step in the right direction*